

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

JOSEPH TRIBBLE,) 3:08-CV-00216-ECR-VPC
)
Plaintiff,) MINUTES OF THE COURT
)
vs.) DATE: December 8, 2009
)
JIM GIBBONS, et al.,)
)
Defendants.)
_____)

PRESENT: _____ EDWARD C. REED, JR. _____ U. S. DISTRICT JUDGE

Deputy Clerk: _____ COLLEEN LARSEN _____ Reporter: _____ NONE APPEARING

Counsel for Plaintiff(s) _____ NONE APPEARING

Counsel for Defendant(s) _____ NONE APPEARING

MINUTE ORDER IN CHAMBERS

On October 2, 2009, the Magistrate Judge filed a Report and Recommendation (#44) recommending that Defendants' Motions (#28 and #30) be granted and that Plaintiff's Motion (#41) be denied. Plaintiff filed Objections (#49) to the Report and Recommendation (#44). The Objections (#49) are without merit and are overruled.

IT IS HEREBY ORDERED that the Report and Recommendation is well taken and is **APPROVED** and **ADOPTED**.

IT IS FURTHER ORDERED that Defendants' Motions (#28) for judgment on the pleadings is **GRANTED**. Defendants' Motion to Dismiss (#30) is **GRANTED**. Plaintiff's Motion (#41) is **DENIED**.

The Clerk shall enter judgment accordingly.

Plaintiff's claim for violation of the Fourteenth Amendment does not state a claim because Nevada law creates no liberty interest in parole. Further, there are no facts alleged which would support a claim for violation of Plaintiff's Eighth Amendment rights or for violation of the Ex Post Facto Clause. There is no authority in support of Plaintiff's claim for declaratory judgment to invalidate his conviction.

LANCE S. WILSON, CLERK

By _____ /s/ _____
Deputy Clerk